

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT F. COLWELL, JR.,

Plaintiff,

vs.

UR M. JADDOU, Director USCIS; A.  
ASHLEY TABADDOR, Chief Counsel  
USCIS; and MERRICK B. GARLAND, US  
Attorney General;

Defendants.

8:22CV216

ORDER TO SHOW CAUSE

[Federal Rule of Civil Procedure 4\(m\)](#) provides, “If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.” [Fed. R. Civ. P. 4\(m\)](#).

Plaintiff filed this action on June 16, 2022. (Filing No. 1). More than 90 days has elapsed, and to date, Plaintiff has not filed any return of service indicating service on the defendants, a waiver of service has not been filed, no defendant has entered a voluntary appearance, and Plaintiff has not requested an extension of time to complete service. Although Plaintiff is proceeding pro se, he must nevertheless comply with local rules, court orders, and the Federal Rules of Civil Procedure. See [Ackra Direct Mktg. Corp. v. Fingerhut Corp.](#), 86 F.3d 852, 856 (8th Cir. 1996) (“In general, *pro se* representation does not excuse a party from complying with a court’s orders and with the Federal Rules of Civil Procedure.”). Accordingly,

**IT IS ORDERED** that Plaintiff shall have until **October 27, 2022**, to show cause why this case should not be dismissed pursuant to [Federal Rule of Civil Procedure 4\(m\)](#) or for want of prosecution. The failure to timely comply with this order may result in dismissal of this without further notice.

Dated this 6<sup>th</sup> day of October, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge